

FORTY-FOURTH DAY
(Wednesday, March 28, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend Harold O'Chester, Allandale Baptist Church, Austin, Texas offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, March 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill 88 by Non-record Vote.

The following were named as House Conferees on H.C.R. 3: Hale, Chairman; Hollowell, Doran, Vale and Wyatt.

S.B. 374, A bill to be entitled An Act relating to eliminating the requirement that expenditures from the Special Game and Fish Fund must be based on verified vouchers; amending Section 6, Chapter 297, Acts of the 50th Legislature, 1947 (Article 4386b, Vernon's Texas Civil Statutes); amending Section 7, Chapter 370, Acts of the 55th Legislature, Regular Session, 1957 (Article 895c, Vernon's Texas Penal Code); and declaring an emergency.

S.B. 375, A bill to be entitled An Act relating to allocating certain unrefunded motor fuel tax receipts from motor boat fuels to the special boat fund; providing for uses for the special boat fund; providing for transfer of funds; amending Section (6a), Article 9.13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; amending Subsection (c), Section 27, Chapter 971, Acts of the 62nd Legislature, Regular Session, 1971 (Article 1722a, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 460, A bill to be entitled An Act relating to designation of certain toys or other articles intended for use by children as hazardous substances; amending Sections 1 and 5, Chapter 1033, Acts of the 62nd Legislature, Regular Session, 1971 (Article 726-3, Vernon's Texas Penal Code); providing for severability; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN
Chief Clerk, House of Representatives

REPORTS OF STANDING COMMITTEES

Senator Mauzy submitted the following reports for the Committee on Education:

S.B. 506
H.B. 533

Senator Hightower submitted the following reports for the Committee on Administration:

H.C.R. 30
S.R. 116 (Amended)
S.R. 278 (Amended)
S.C.R. 65
H.B. 274

Senator Herring submitted the following reports for the Committee on Jurisprudence:

C.S.H.B. 10 (Read first time)
H.B. 236
S.B. 523
C.S.S.B. 388 (Read first time)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Harrington:

S.B. 856, A bill to be entitled An Act relating to the compensation paid from county funds to the District Judges of the 58th, 60th, 136th, 172nd Judicial Districts and Criminal District Court of Jefferson County for services rendered to the county; amending Section 1, Chapter 212 of the 59th Legislature, 1965, (Article 6819a-39, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Harrington:

S.B. 859, A bill to be entitled An Act relating to competitive bidding on contracts made by cities and counties; amending Section 2, Chapter 163, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senators Harrington and Ogg:

S.B. 860, A bill to be entitled An Act providing that no insurer may cancel or fail to renew the automobile liability insurance policies of certain persons aged 65 or older who have successfully completed certain driver training courses; amending the Insurance Code, as amended, by adding Article 5.01-2; and declaring an emergency.

To Committee on Economic Development.

By Senators Aikin, Schwartz, Snelson and Brooks:

S.B. 861, A bill to be entitled An Act to amend Section 16.74, Texas Education Code, prescribing a formula for annual calculation of a county

economic index based, in part, on true market value of assessed "real property" in each school district, as defined and determined herein; to amend Sections 16.72 and 16.75, Texas Education Code, providing for a deletion from amount chargeable to school districts and to total county assignments and providing procedure for a gradual phasing-in of the new index local fund assignments; to amend Section 16.76, subsection (a) and Section 16.77, Texas Education Code, prescribing implementation and procedure provisions for the computation of local fund assignment of school districts and notification thereof, thereby to bring into relation the new economic index; also vesting responsibility in the state comptroller of public accounts with regard to validation of certificates of assessments and percentages of assessments upon referral by the central education agency, and to assist in preparation of informational forms necessary to discharge such duties; to amend subsection (e) of Section 16.76, Texas Education Code, substituting therein a prescribed formula for authorization of a local fund assignment limitation, when applicable, providing an effective date of this Act; providing for a saving clause; and declaring an emergency.

To Committee on Education.

By Senator Wolff:

S.B. 862, A bill to be entitled An Act relating to the authority of commissioners courts to approve subdivision plats for subdivision in areas outside the corporate limits of cities and towns; providing methods of enforcing the provisions of subdivision plats; authorizing the commissioners court to establish building codes and require the acquisition of building permits; providing penalties; repealing Chapter 436, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes), and Chapter 151, Acts of the 52nd Legislature, 1951 (Article 2372k, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Wolff:

S.B. 863, A bill to be entitled An Act relating to the training and certification of certain persons who perform hair cleansing and scalp conditioning in beauty shops; amending Subsection (a) and adding Subsection (c), Section 12, Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971 (Article 734c, Vernon's Texas Penal Code); amending Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971 (Article 734c, Vernon's Texas Penal Code), by adding Section 55; and declaring an emergency.

To Committee on Human Resources.

By Senator Sherman:

S.B. 864, A bill to be entitled An Act relating to the activities authorized under, and qualifications for, a Distiller's Permit; amending Subsection (2), Section 15, Article I, Texas Liquor Control Act, as amended (Article 666-15, Vernon's Texas Penal Code); adding Section 18a, Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Ogg:

S.B. 865, A bill to be entitled An Act relating to absentee voting in elections; amending Subdivisions 1, 2, and 3b, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), to add provisions permitting voters confined in jail to vote absentee; also deleting or revising obsolete provisions; and declaring an emergency.

To Committee on State Affairs.

By Senator Herring:

S.B. 866, A bill to be entitled An Act relating to the territorial restriction on town lot corporations; amending Article 4.05, Texas Miscellaneous

Corporation Laws Act (Article 1302-4.05, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Wolff:

S.C.R. 70, Memorializing Congress to federalize Title XIX (Medicaid) program so Federal Government will assume full financial responsibility for program.

To Committee on Finance.

By Senators Gammage, Brooks and Ogg:

S.C.R. 71, Extending congratulations to Nat Terence on his successful career.

To Committee on Administration.

CO-AUTHOR OF SENATE BILL 861

On motion of Senator Aikin and by unanimous consent, Senator Brooks will be shown as Co-author of S.B. 861.

SENATE RESOLUTION 420

Senator Patman offered the following resolution:

S.R. 420, Extending congratulations to Texas Rangers on observance of their Sesquicentennial.

On motion of Senator Patman and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Patman, the resolution was adopted.

RECORD OF VOTE

Senator Longoria asked to be recorded as voting "Nay" on the adoption of the resolution.

SENATE RESOLUTION 423

Senator Schwartz offered the following resolution:

S.R. 423, Opposing closing of U.S. Public Health Service Hospital in Galveston.

The resolution was read and was adopted.

LEAVE OF ABSENCE

Senator Harrington was granted leave of absence for the remainder of today on account of illness on motion of Senator Hightower.

SENATE RESOLUTION 399

Senator Hightower offered the following resolution:

WHEREAS, It is a pleasure for Members of the Senate to honor a distinguished colleague, Senator W. E. "Pete" Snelson of Midland, Midland County, Texas, on the occasion of his birthday; and

WHEREAS, "Pete" Snelson was born on March 28, 1923, in Grandfalls,

Texas, the son of Mr. and Mrs. Luke R. Snelson, a pioneering West Texas family; his upbringing on the vast West Texas plains gave him an understanding of and a deep insight into the life and problems of that area, which prepared him to represent effectively the largest senatorial district in the United States; it includes 35 counties and covers some 60,000 square miles in area; and

WHEREAS, He served with honor and valor in the European Theater of War during World War II as a Special Agent of Army Counter Intelligence; he was decorated three times, receiving the Combat Infantryman's Badge, the Bronze Star and the Purple Heart; he was later commissioned to serve as commanding officer of a CIC Reserve Unit in El Paso, Texas; and

WHEREAS, His vital interest in people and in his community has led to his participation in many organizations of service; he is a member of Lions International; he is a 32nd degree Scottish Rite Mason; the Jaycees in Odessa and Midland elected him to hold office; he was voted president of the Texas Jaycees in 1957, and was honored by the United States Jaycees as "Outstanding State President"; and

WHEREAS, His legislative career includes one term in the Texas House of Representatives from 1960 to 1962; he served in the Senate in 1964 for two years, and again in 1969 to the present; he was honored by his colleagues who elected him as President Pro Tempore of the Senate during the 62nd Regular Session, and again during the interim; as President Pro Tempore, he was privileged to serve as Acting Governor of the State on two occasions; and

WHEREAS, Strong leadership has been provided by this Senator from West Texas; he served as Chairman of the important Oil and Gas Committee as well as Commerce and Industry; he has been a member of numerous other Senate Committees as well; and

WHEREAS, Throughout his successful career, he has been strengthened by the faith and support of his lovely wife, Susan; they have four delightful children, Gene, Sandra, Steven and Shane; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature pay tribute to Senator W. E. "Pete" Snelson on the occasion of his birthday, and extend to him our best wishes for many more years of good health and happiness.

The resolution was read and was adopted.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin, the resolution was adopted.

HOUSE BILL 469 ON SECOND READING

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 469, A bill to be entitled An Act relating to including Grayson County under the provisions of the Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time and was passed to third reading.

(President in Chair)

HOUSE BILL 469 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Harrington.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Harrington.

HOUSE BILL 262 ON THIRD READING

The President laid before the Senate on its third reading and final passage:

H.B. 262, A bill to be entitled An Act repealing Section 8, Chapter 177, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 46a, Vernon's Texas Civil Statutes) relating to the adoption of children by members of the same race; and declaring an emergency.

The bill was read third time and was finally passed.

RECORD OF VOTE

Senator Adams asked to be recorded as voting "Nay" on the final passage of the bill.

PERMISSION GRANTED FOR FILMING OF PROCEEDINGS OF SENATE

On motion of Senator Hightower and by unanimous consent, television cameramen were granted permission to film the proceedings of the Senate.

SENATE RESOLUTION 424

By unanimous consent, Senator Clower offered the following resolution:

WHEREAS, the Members of the Senate of Texas are honored and pleased to have in their presence today a great lady of Texas, the delightful Mrs. Lillian May Clower, mother of the honorable Senator from Dallas County, Ron Clower; and

WHEREAS, she has distinguished herself as an outstanding wife, mother, grandmother, homemaker and counselor to her family, and particularly to her grateful son the Senator; and

WHEREAS, along with her husband The Honorable A. E. Clower of Garland, she worked long hours and made the greatest sacrifices for the benefit of her family; and

WHEREAS, in the tradition of the great mothers of Texas she rose early

to tend to the needs of her family and to sit on the porch with her son Ron who in his boyhood was inclined to rise at first light and disturb the sleeping members of the family; and

WHEREAS, she often waited patiently with a mother's anticipation for the return of her sons as they traveled far and wide to see the land; and

WHEREAS, the charming Mrs. Clower exercised great wisdom and charm in ministering to her family and in rearing her boys; and

WHEREAS, she provided great moral strength and support during the days of the honorable Senator's first political campaign; and

WHEREAS, she also addressed an incalculable number of envelopes and made inestimable phone calls and generally proved to be the finest of campaigners; and

WHEREAS, because of her charm, wisdom, devotion, ability and dedication to her family, state and nation, she has distinguished herself as a truly outstanding lady of Texas; now, therefore, be it

RESOLVED, that the Senate on behalf of the people of Texas extends its gratitude for her good works and service to our state and expresses its admiration for her accomplishments; and be it further

RESOLVED, that official copies of this resolution under the seal of the Senate be prepared for Mrs. Clower as an expression of highest regard and esteem from the Senate of the State of Texas.

CLOWER
BLANCHARD

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Clower, the resolution was adopted.

CO-AUTHOR OF SENATE RESOLUTION 424

On motion of Senator Blanchard and by unanimous consent, he will be shown as Co-author of S.R. 424.

COMMITTEE SUBSTITUTE HOUSE BILL 3 ON SECOND READING

Senator Brooks asked unanimous consent to suspend the regular order of business and take up C.S.H.B. 3 for consideration at this time.

There was objection.

Senator Brooks then moved to suspend the regular order of business and take up C.S.H.B. 3 for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Moore.

Absent-excused: Harrington.

The President laid before the Senate on its second reading and passage to third reading:

C.S.H.B. 3, A bill to be entitled An Act relating to the requirement that meetings of governmental bodies be open to the public; etc.; and declaring an emergency.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend Committee Substitute for H.B. 3 by adding to quoted Section 2 a new Subsection (p) to read as follows:

"(p) Nothing in this act shall be construed to require that interviews or counseling sessions between the members of the Board of Pardons and Paroles and inmates of any facility of the Texas Department of Corrections be open to the public."

The amendment was read and was adopted.

Senator Sherman offered the following amendment to the bill:

Amend Section 2 of Committee Substitute for House Bill 3, Acts of 63rd Legislature, by adding a new subsection (o) to read as follows:

"(o) Nothing in this Act shall be construed to require medical boards or medical committees to hold meetings open to the public in cases where the individual medical and psychiatric records of an applicant for a disability benefit from a public retirement system are being considered."

The amendment was read and was adopted.

Senator Clower offered the following amendment to the bill:

Amend Committee Substitute for H.B. 3 by striking all of Subsection (c), Section 2 and adding the following:

"(e) Private consultations between a governmental body and its attorney are not permitted except in those instances in which the body seeks the attorney's advice with respect to pending or contemplated litigation, settlement offers, and matters where the duty of a public body's counsel to his client, pursuant to the Rules and Canons of the State Bar of Texas, clearly conflicts with this Act."

The amendment was read.

Senator Ogg offered the following substitute for the pending amendment to the bill:

Amend C.S.H.B. 3 by striking the word "possible" from Section 2, Subsection (e) between the words "the" and "avoidance" on line 5 in said Section and Subsection.

The substitute for the amendment was read.

Senator Clower moved to table the substitute for the pending amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Mauzy, McKinnon, McKnight, Meier, Mengden, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones, Kothmann, Longoria, Moore and Ogg.

Absent-excused: Harrington.

Question recurring on the adoption of the amendment by Senator Clower, the amendment was adopted.

Senator Clower offered the following amendment to the bill:

Amend Committee Substitute for H.B. 3 by deleting the comma after the word "purchase" and deleting the words "sale, exchange, lease, or value" in Subsection (f), Section 2.

The amendment was read.

Senator Brooks offered the following substitute for the pending amendment to the bill:

Amend C.S.H.B. 3 by striking subsection (f) in Section 2 of the bill and substituting in lieu thereof the following:

"(f) The public may be excluded from that portion of a meeting during which a discussion is had with respect to the purchase, exchange, lease, or value of real property, negotiated contracts for prospective gifts or donations to the State or the governmental body, when such discussion would have a detrimental effect on the negotiating position of the governmental body as between such body and a third person, firm or corporation."

The substitute for the pending amendment was read and was adopted.

The amendment as substituted was then adopted.

Senator Hightower offered the following amendment to the bill:

Amend C.S.H.B. 3, Section 1(d) by inserting after the word "law" the following:

"applicable to such governing body".

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

COMMITTEE SUBSTITUTE HOUSE BILL 3 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.H.B. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Moore.

Absent-excused: Harrington.

The President then laid the bill before the Senate on its third reading and final passage. The bill was read third time.

Senator Ogg offered the following amendment to the bill:

Amend Committee Substitute for H.B. 3, as amended in Section 2, Subsection (e) by striking the words "Rules and Canons of Ethics of the State Bar of Texas" and substituting in lieu thereof the words "Code of Professional Responsibility of the State Bar of Texas" in said section and subsection.

The amendment was read and was adopted.

The bill as amended was passed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Moore.

Absent-excused: Harrington.

COMMITTEE SUBSTITUTE SENATE BILL 274 ON SECOND READING

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 274, A bill to be entitled An Act relating to the acquisition and disposition of state-owned lands and flats by navigation districts; etc.; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 274 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 274 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban,

Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Harrington.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Harrington.

COMMITTEE SUBSTITUTE SENATE BILL 348 ON SECOND READING

On motion of Senator Ogg and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 348, A bill to be entitled An Act relating to continuances in court cases when a party or attorney is a member of the legislature; etc.; and declaring an emergency.

The bill was read second time.

Senator Clower offered the following amendment to the bill:

Amend Committee Substitute to S.B. 348 by adding the following language after the words "State of Texas" on line 51, Section 1, Subsection C "or the judge in his discretion may hold the attorney in question in contempt of court".

The amendment was read and was adopted.

On motion of Senator Ogg and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 348 ON THIRD READING

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 348 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Harrington.

Senator Schwartz offered the following amendment to the bill:

Amend Committee Substitute for S.B. 348 by adding the following:

"Section 1. (d) All of the provisions of this section are specifically made applicable to the Constitutional Convention to be held in the year 1974 at which all members of the Legislature will be delegates."

The amendment was read and was adopted by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Patman.

Absent-excused: Harrington.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

H.C.R. 112

NOTICE OF EXECUTIVE SESSION

Senator McKinnon gave notice that he would move for an Executive Session of the Senate at 12:26 o'clock p.m. tomorrow.

SENATE BILL 129 ON THIRD READING

Senator Longoria asked unanimous consent to suspend the regular order of business and take up S.B. 129 for consideration at this time.

There was objection.

Senator Longoria then moved to suspend the regular order of business and take up S.B. 129 for consideration at this time.

The motion prevailed by the following vote: Yeas 20, Nays 9.

Yeas: Aikin, Andujar, Blanchard, Braecklein, Brooks, Gammage, Harris, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Ogg, Patman, Santiesteban, Schwartz, Traeger, Wallace and Wolff.

Nays: Adams, Clower, Creighton, Herring, Mauzy, Meier, Mengden, Sherman and Snelson.

Absent: Moore.

Absent-excused: Harrington.

The President laid before the Senate on its third reading and final

passage:

S.B. 129, A bill to be entitled An Act relating to capital improvements for Pan American University; etc.; and declaring an emergency.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Meier, Clower, Creighton, Sherman, Snelson, Adams, Jones, Mauzy and Herring asked to be recorded as voting "Nay" on the final passage of the bill.

HOUSE BILL ON FIRST READING

The following bill received from the House, was read the first time and referred to the Committee indicated:

H.B. 460, To Committee on Jurisprudence.

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Thursday, March 29, 1973

H.B. 236 - Senator Blanchard
S.B. 11 - Senator Wolff
C.S.S.B. 41 - Senator Gammage
S.B. 71 - Senator Braecklein
S.B. 123 - Senator Gammage
S.B. 147 - Senator Gammage
S.B. 174 - Senator Jones
S.B. 180 - Senator Hightower
S.B. 196 - Senator Hightower
S.B. 234 - Senator Creighton
S.B. 339 - Senator Adams
S.B. 392 - Senator Snelson
S.B. 419 - Senator Jones
S.B. 633 - Senator Aikin
S.B. 832 - Senator Aikin

Monday, April 2, 1973

S.J.R. 28 - Senator Creighton
S.B. 604 - Senator Creighton

MEMORIAL RESOLUTIONS

S.R. 404 - By Senator Adams: Memorial resolution for Dr. Noel W. Bird.

S.R. 410 - By Senator Snelson: Memorial resolution for G. C. Magruder.

S.R. 411 - By Senator Snelson: Memorial resolution for George Worthington Ramer.

S.R. 412 - By Senator Snelson: Memorial resolution for Dr. George F. Mood.

S.R. 413 - By Senator Snelson: Memorial resolution for William Harold Pettit.

S.R. 414 - By Senator Snelson: Memorial resolution for Tom O. Schmidt.

S.R. 415 - By Senator Snelson: Memorial resolution for Mrs. Zina Ellen Dittman.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 400 - By Senator Adams: Extending congratulations to Panola Watchman.

S.R. 401 - By Senator Adams: Extending congratulations to Mrs. Joyce Smith McCorquodale.

S.R. 402 - By Senator Adams: Extending congratulations to Lufkin News.

S.R. 403 - By Senator Adams: Extending congratulations to Flyers Basketball Team of La Poyner.

S.R. 405 - By Senator Wolff: Extending welcome to students from St. Mary's University.

S.R. 406 - By Senator Clower: Extending welcome to students from Duncanville High School.

S.R. 407 - By Senator Harrington: Extending congratulations to Julian Greer.

S.R. 408 - By Senator Harris: Extending welcome to students from St. Patrick School.

S.R. 409 - By Senators Andujar and Meier: Extending welcome to students from Dunbar High School.

S.R. 416 - By Senators Andujar and Harris: Extending welcome to Texas Federation of Republican Women.

S.R. 417 - By Senator Herring: Extending welcome to Murchison Junior High School.

S.R. 418 - By Senator Aikin: Extending welcome to Neal Soloman.

S.R. 419 - By Senator Gammage: Extending welcome to students from Needville High School.

S.R. 421 - By Senator Blanchard: Extending welcome to R. Eric Weise.

S.R. 422 - By Senator Herring: Extending welcome to students from Gullett School.

S.R. 425 - By Senator Clower: Extending welcome to Garland Democratic Woman's Club.

S.R. 426 - By Senator Aikin: Extending welcome to Mrs. J. R. McLemore.

RECESS

On motion of Senator Aikin the Senate at 12:35 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

FORTY-FOURTH DAY
(Continued)
(Thursday, March 29, 1973)

After Recess

The Senate met at 8:30 o'clock a.m., and was called to order by Senator Hightower.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Hightower in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of S.R. 291.

The following bills and resolution were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

H.B. 104 (Wolff) (31-0) (31-0)

H.B. 274 (Hightower) (31-0) (31-0)

H.C.R. 30 (Sherman) (vv)

S.B. 151 (Gammage) (31-0) (31-0)

S.B. 208 (Ogg) (30-1) Adams "Nay" (30-1) Adams "Nay"

C.S.S.B. 269 (Schwartz) (31-0) (31-0)

C.S.S.B. 303 (Jones) (31-0) (31-0)

S.B. 332 (Herring) (31-0) (31-0)

C.S.S.B. 360 (Schwartz) (31-0) (31-0)

S.B. 367 (Adams) (31-0) (31-0)

S.B. 411 (Adams) (31-0) (31-0)

S.B. 432 (Creighton) (31-0) (31-0)

S.B. 455 (Jones) (31-0) (31-0)

S.B. 466 (Traeger) (31-0) (31-0)